

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

DANIEL B. GRAVES, Plaintiff, v. DEUTSCHE BANK SECURITIES, INC., Defendant.	CIVIL ACTION NO. 1:07-cv-05471-BSJ-KNF (Electronically Filed)
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**PLAINTIFF’S MEMORANDUM IN SUPPORT OF HIS
CONSENTED MOTION FOR LEAVE TO SUBSTITUTE
THE ACCOMPANYING REVISED PROPOSED SECOND
AMENDED AND SUPPLEMENTAL COMPLAINT AND
ATTACHMENTS FOR THE EXISTING PROPOSED
SECOND AMENDED AND SUPPLEMENTAL COMPLAINT
AND ATTACHMENTS, *NUNC PRO TUNC*, AS
ATTACHMENTS TO PLAINTIFF’S MOTION FOR LEAVE
TO FILE HIS SECOND AMENDED AND SUPPLEMENTAL
COMPLAINT, AND TO THE SEYMOUR DECLARATION
IN SUPPORT OF PLAINTIFF’S OPPOSITION TO
DEFENDANT’S MOTION FOR SANCTIONS**

Plaintiff’s Motion seeks the simple substitution of a corrected version of plaintiffs’ proposed Second Amended and Supplemental Complaint, with each party preserving all of the party’s previously stated positions as to each Motion, and without any need for any additional briefing by either party as to either Motion.

The changes in the revised proposed Second Amended and Supplemental Complaint are as follows:

1. Correcting the initials “EOC” to “EEOC” in paragraphs 102, 105, 112, 119, and 122;

2. Correcting the date “February 28, 2008” to “February 21, 2008” in paragraphs 25(e), 109, and 110;

3. Inserting a page number in ¶ 11;

4. Adding subparagraph 14(d) and re-lettering the following subparagraph;

5. Correcting a page number cross-reference at the end of ¶ 14;

6. Deleting an extra space after the first dash in ¶ 102(c);

7. Adding subparagraphs 102(f) and (g);

8. Adding clarifications in ¶ 110(f) and in the table heading;

9. Filling in missing figures for Elizabeth Chang in the table in ¶ 110(f);

10. Inserting a line for J.L. Malcolm Morris Filling in the table in ¶ 110(f);

11. Expanding a cross-reference in ¶ 114;

12. In ¶ 118(e) on p. 48, eliminating the bold face;

13. Adding new Exhibits 6 and 7 to the Complaint;

14. In ¶ 125, re-numbering the EEOC charge as Exhibit 8 to the Complaint; and

15. In ¶ 127, re-numbering the letter and attachment from the New York State Division of Human Rights as Exhibit 9 to the Complaint;

16. In ¶ 130, re-numbering the New York State Division of Human Rights’ Notice of Dismissal for Administrative Convenience as Exhibit 10 to the Complaint; and

17. In ¶ 132, re-numbering the Notice of Right to Sue as Exhibit 11 to the Complaint.

Defendant does not oppose this Motion.

WHEREFORE, plaintiff prays that his Motion be granted.

A proposed form of Order is submitted herewith.

Respectfully submitted,

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Dated: August 4, 2008